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John G. Rauch

Name of applicant, assignee or
Registered Representative

Signature

Date of Signature



Our Case No. 9046/44

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Wai Kai Wong)	
)	Examiner: Previl, Daniel
Serial No. 10/088,757)	
)	Group Art Unit No. 2636
Filing Date: August 9, 2002)	
)	
For WEARABLE BAND WITH MOTION)	
DETECTION AND FLASHING)	
LIGHTS (as amended))	

PETITION UNDER 37 C.F.R. § 1.78(a)(6)

Box AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. 1.78, Applicant respectfully petitions for acceptance of an unintentionally delayed claim for priority under 35 U.S.C. § 119(e) for the benefit of a prior filed provisional application.

10/25/2005 HDESTA1 00000095 10088757

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1370.00 OP

REMARKS

Applicant requests that the application be amended as shown below to add a reference to a prior filed provisional application number 60/298,654, filed June 15, 2001. In accordance with 37 C.F.R. § 1.78(a)(6), Applicant states as follows:

(1) Applicant requests that the Application be amended in the following manner to add a reference to the priority application:

Please add the following new paragraphs on page 1 of the Application, after the title and before the heading “BACKGROUND OF THE INVENTION”:

--CROSS REFERENCE TO RELATED APPLICATIONS

This application is a continuation of international application number PCT/AU01/00180, filed February 22, 2001, which claims the priority of Australian application number PQ 5778, filed February 22, 2000.--

(2) The entire delay between the date the claim for priority was due under 37 C.F.R. § 1.78(a)(5)(ii) and the date the claim is filed herein is unintentional.

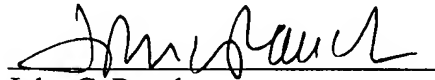
(3) The reference required by 35 U.S.C. 119(e) and 37 C.F.R. § 1.78(a)(5) is provided herein. This reference has not been previously presented in the Application itself. The Declaration signed by inventor Wai Kai Wong on May 23, 2002 and filed with the Response to the Notice to File Missing Parts on September 9, 2002 did include a claim to priority of international application number PCT/AU01/00180 and Australian application number PQ 5778. This claim was recognized and repeated on the filing receipt for the application.

Application no. 10/088,757.
Petition dated: October 20, 2005

(4) Attached is a check for \$1370.00 for the Petition fee under 37 C.F.R. § 1.17(t). Please charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Grant of this petition and addition of the reference to the international patent application is respectfully requested.

Respectfully submitted,



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Attorney for Applicant

October 20, 2005
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